# **EXHIBIT 1**

# Doc 4525-1

**FUNT TO MERICLA Mered** 11/14/11 18:41:00 Exhibit 1 Pg 2 of 26

#### BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

# **DECEMBER 11, 2008**

| (Please   | print  | or type)   |  |  |  |
|-----------|--|--|--|--|--|
| Name of   |  |  | A 10045000 0 000   |  |  |
| Mailing . | Addr   | ess: 325 East 72 <sup>nd</sup> Street  |  |  |  |
| City: 1   | New Y  | ork State: New   | York Zip   | :  | 10021  |
| Account   | t No.:   | Claimant maintained account number 222-custodian for Claimant's IRA investment in invested with Bernard L. Madoff Investment numbers 1-KW387-3-0 and 1-FN086-4-0 (control of the control o | P.J. Administrator I<br>at Securities LLC ("E  | LLC, v<br>Broker   | which, in turn, wholly ") through account  |
| Taxpaye   | r I.D.   | Number (Social Security No.): 072-42   | -5874  |  |  |
| NOTE:     | ACC<br>FILE<br>UND<br>OR<br>BEF<br>BEIN<br>SEN | ORE COMPLETING THIS CLAIM FORI<br>OMPANYING INSTRUCTION SHEET.<br>D FOR EACH ACCOUNT AND, TO REC<br>ER SIPA, ALL CUSTOMER CLAIMS M<br>BEFORE MARCH 4, 2009. CLAIMS RE<br>ORE JULY 2, 2009, WILL BE SUBJE<br>IG SATISFIED ON TERMS LESS FAV<br>D YOUR CLAIM FORM BY CERTIFIED M   | A SEPARATE CLEIVE THE FULL FUST BE RECEIVE CEIVED AFTER TO DELAYED ORABLE TO THE TAIL - RETURN R | AIM PROTED BY THAT PROTECTION PRO | FORM SHOULD BE<br>ECTION AFFORDED<br>THE TRUSTEE ON<br>DATE, BUT ON OF<br>DCESSING AND TO<br>LAIMANT. PLEASE |
| 1.        |  | n for money balances as of <b>December 11</b>  |  |  |  |
|           | a.   | The Broker owes me a Credit (Cr.) Balan  | ce of  | \$56   | .027.89 <sup>1</sup>   |
|           | b.   | I owe the Broker a Debit (Dr.) Balance of  |  | \$   | N/A  |
|           | C.   | If you wish to repay the Debit Balance, please insert the amount you wish to repart attach a check payable to "Irving H. Picar Trustee for Bernard L. Madoff Investment If you wish to make a payment, it must be with this claim form.  | d, Esq.,<br>Securities LLC."   | \$   | N/A  |
|           |  | If halance is zero, insert "Nano"  | •  |  | N/A  |

If balance is zero, insert "None."

<sup>1</sup> On February 20, 2009, the SIPC Trustee presided over the first meeting of the Broker's creditors. At that meeting, the Trustee stated that he had found no evidence that the Broker purchased any securities for his customers for at least 13 years. As a result, the Trustee indicated that claims for reimbursement will be based on the net of investors' cash deposits and withdrawals with the Broker. For these reasons, the answer to question 1(a) above reflects the net eash that Claimant deposited with Bear Stearns as custodian for Claimant's IRA. That IRA was fully invested with P.J. Administrator LLC ("PJ"). PJ, in turn, deposited Claimant's net cash into the Accounts with the Broker.

Attached hereto as Exhibit 1 is a copy of a cancelled check, made payable to Bear Stearns FBO Neil E. Botwinoff, in the amount of \$55,282.14, which was used as initial funding for Claimant's IRA. Exhibit 2 is a copy of Claimant's Bear Stearns IRA account statement for the period March 31, 2007 through April 30, 2007, which shows Claimant's additional deposit of \$745.75 on page 5 thereof. These deposits, totaling \$56,027.89, were fully invested with PJ. The schedule that Claimant received from PJ, which sets forth Claimant's entire investment activity (Exhibit 3), reflects PJ's receipt and credit of the two deposits mentioned above. That Exhibit also confirms Claimant's net cash deposits of \$56,027.89. As explained above, PJ deposited Claimant's net cash into the Accounts with the Broker.

# 2. Claim for securities as of **December 11, 2008**:

## PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

|  |  | YES                             | NO                             |
|--|--|---------------------------------|--------------------------------|
| a.                                     | The Broker owes me securities  | X                               |                                |
| b.                                     | I owe the Broker securities  | <u></u>                         | X                              |
| C.                                     | If yes to either, please list below:                                     |                                 |                                |
|  |  |                                 | Shares or Face<br>of Bonds     |
| Date of<br>Transaction<br>(trade date) | Name of Security   | The Broker<br>Owes Me<br>(Long) | I Owe<br>the Broker<br>(Short) |
|  | The Broker owes Claimant a total of \$68,967 in securities. <sup>2</sup> |                                 |                                |
|  |  |                                 |                                |
|  |  |                                 |                                |

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclosed, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

<sup>&</sup>lt;sup>2</sup> This total balance is reflected in the last column of Exhibit 3. Exhibit 4 is a schedule that Claimant received from PJ setting forth the securities that the Broker claimed to have purchased on behalf of Claimant in November 2008.

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 4 of 26

# PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

|   | YES            | NO |
|---|----------------|----|
| Has there been any change in your account sir December 11, 2008? If so, please explain.   | nce            | X  |
| Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?  |                | X  |
| Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or polices of the broker? |                | X  |
| Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in ay way with the broker? If so, give name(s)    |                | X  |
| Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                        | ·<br>·         | X  |
| Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                  | X <sup>3</sup> |    |
| Have you or any member of you family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.  |                | X  |

Claimant granted PJ discretionary authority to execute securities transactions with the Broker. PJ's address is PJ Administrator LLC, 666 Third Avenue, 29<sup>th</sup> Floor, New York, New York 10017-4001.
 [851977-1]

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If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

| Date_  | 3/3/09 | Signature <u>//eil</u> | Bateving |
|--------|--------|------------------------|----------|
| _      | / /    |                        |          |
| Date _ |        | Signature              |          |

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, *e.g.*, corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

# FIGURE 11/14/11 18:41:00

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# BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

# **DECEMBER 11, 2008**

| Name             |                                 | t or type  | e)  |   |   |  |                                   |                       |                              |                                |                            |                                    |                         |                                    |                         |                                    |                 |
|------------------|---------------------------------|--|---|---|---|--|-----------------------------------|-----------------------|------------------------------|--------------------------------|----------------------------|------------------------------------|-------------------------|------------------------------------|-------------------------|------------------------------------|-----------------|
| Haine (          | of Cus                          | stomer:  | Rober   | t E. Hel                                    | pern (                                  | ("Claim                                  | ant")                             | )                     |                              |                                |                            |                                    |                         |                                    |                         |                                    |                 |
| Mailing          | Add                             | ress:  | 50 Sutto  | n Place                                     | South                                   | – Apt.                                   | 16A                               |                       | ····                         |                                |                            |                                    |                         |                                    |                         |                                    |                 |
| City:            | New                             | York   |   |   |   | State:                                   | Ne                                | ew Y                  | ork                          | *                              | Zi                         | p:                                 | 1                       | 0022                               |                         | <del></del>                        |                 |
| Accour<br>Taxpay |                                 | custo<br>inves<br>num                              | mant mai<br>odian for<br>sted with<br>bers 1-K'<br>er (Soci | Claimar<br>Bernard<br>W387-3                | nt's IR<br>I L. M<br>-0 and             | A inve:<br>adoff Ir<br>1-KW:             | stmer<br>ivesti<br>387-4          | nt in l<br>ment       | P.J. Ad<br>Securi<br>ollecti | lminis<br>ties L               | trato<br>LC (              | r LLC<br>'Brok                     | , wł<br>er")            | ich, i<br>throu                    | n turi                  | ı, who                             | lly             |
|                  | FILI<br>UNI<br>OR<br>BEI<br>BEI | FORE COMPA<br>ED FOR<br>DER SIF<br>BEFOR<br>FORE J | NYING<br>EACH<br>PA, ALL<br>E MAR<br>ULY 2,                 | INSTRI<br>ACCOL<br>CUST<br>CH 4, 2<br>2009, | UCTIC<br>UNT A<br>OMEI<br>2009.<br>WILL | ON SH<br>AND, T<br>R CLA<br>CLAI<br>BE : | IEET<br>O RI<br>IMS<br>IMS<br>SUB | ECE<br>MU:<br>REC     | SEP IVE T ST BE EIVE T TO    | ARATHE F<br>REC<br>D AF<br>DEL | TE C<br>ULL<br>CEIV<br>TER | LAIN<br>PRO<br>ED E<br>THA<br>D PI | TEC<br>SY<br>TEC<br>ROC | ORM<br>CTIO<br>THE<br>DATE<br>CESS | SHON AITRU<br>TRU<br>BU | OULD<br>FOR<br>STEE<br>T ON<br>AND | BE<br>DED<br>ON |
| ** 4 5 6 2 1 6   | SEN                             | ID YOU   | R CLAI  | M FOR                                       | TERM<br>M BY                            | S LES                                    | SS F                              | FAVC                  | DRAB                         | LE T                           | OT                         | HE (                               | CLA                     | IMAI                               | NT.<br>QUE              | PLE<br>STED                        | ASE             |
| 1.               |                                 | m for mo   | RCLAIN  | M FOR                                       | M BY                                    | S LES                                    | SS F                              | FAVC<br>D MA          | ORAB<br>AL – I               | LE T                           | OT                         | HE (                               | CLA                     | IMAI                               | NT.<br>QUE              | PLE<br>STED                        | ASE             |
| 1.               |                                 | m for mo   | RCLAIN  | M FORM                                      | M BY<br>as of I                         | S LES                                    | SS F<br>IFIEI<br>Iber             | TAVC<br>D MA<br>11, 2 | ORAB<br>AIL — I<br>2008:     | LE T                           | OT                         | HE (                               | CLA<br>EIPT             | IMAI                               | QUE                     | PLE<br>STED                        | ASE             |
| 1.               | Clai                            | m for mo   | ney bal   | ances a                                     | M BY<br>as of I                         | S LES CERTI  Decem                       | SS F<br>IFIEL<br>iber             | TAVO<br>D MA<br>11, 2 | ORAB<br>AIL — I<br>2008:     | LE T                           | OT                         | HE (                               | 79,9                    | IMAI<br>REC                        | QUE                     | PLE                                | ASE             |

<sup>&</sup>lt;sup>1</sup> On February 20, 2009, the SIPC Trustee presided over the first meeting of the Broker's creditors. At that meeting, the Trustee stated that he had found no evidence that the Broker purchased any securities for his customers for at least 13 years. As a result, the Trustee indicated that claims for reimbursement will be based on the net of investors' cash deposits and withdrawals with the Broker. For these reasons, the answer to question 1(a) above reflects the net cash that Claimant deposited with Bear Stearns as custodian for Claimant's IRA. That IRA was fully invested with P.J. Administrator LLC ("PJ"). PJ, in turn, deposited Claimant's net cash into the Accounts with the Broker.

Attached hereto as Exhibit 1 is a copy of a cancelled check, made payable to Bear Stearns FBO Robert E. Helpern, in the amount of \$276,272.52, which was used as initial funding for Claimant's IRA. Exhibit 2 is a copy of Claimant's Bear Stearns IRA account statement for the period March 31, 2007 through April 30, 2007, which shows Claimant's additional deposit of \$3,726.92 on page 5 thereof. These deposits, totaling \$279,999.44, were fully invested with PJ. The schedule that Claimant received from PJ, which sets forth Claimant's entire investment activity (Exhibit 3), reflects PJ's receipt and credit of the two deposits mentioned above. That Exhibit also confirms Claimant's net cash deposits of \$279,999.44. As explained above, PJ deposited Claimant's net cash into the Accounts with the Broker.

2. Claim for securities as of December 11, 2008:

# PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

|  |   | YES                             | NO                             |
|--|---|---------------------------------|--------------------------------|
| a.                                     | The Broker owes me securities   | X                               |                                |
| b.                                     | I owe the Broker securities   |                                 | X                              |
| C.                                     | If yes to either, please list below:  |                                 |                                |
|  |   |                                 | Shares or Face<br>of Bonds     |
| Date of<br>Transaction<br>(trade date) |   | The Broker<br>Owes Me<br>(Long) | I Owe<br>the Broker<br>(Short) |
|  | = The Broker owes Claimant a total of \$344,662 in securities. <sup>2</sup> |                                 |                                |
|  |   | <u> </u>                        | ·                              |
|  |   |                                 |                                |

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclosed, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

<sup>&</sup>lt;sup>2</sup> This total balance is reflected in the last column of Exhibit 3. Exhibit 4 is a schedule that Claimant received from PJ setting forth the securities that the Broker claimed to have purchased on behalf of Claimant in November 2008.

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# PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

|           |   | YES                | NO                 |
|-----------|---|--------------------|--------------------|
| •         | Has there been any change in your account since December 11, 2008? If so, please explain.   |                    | X                  |
|           | Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?  |                    | X                  |
| ·         | Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or polices of the broker? |                    | X                  |
| <b>).</b> | Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in ay way with the broker? If so, give name(s)    |                    | X                  |
|           | Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                        |                    | X                  |
|           | Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                  | X <sup>3</sup>     |                    |
|           | Have you or any member of you family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.  |                    | X                  |
|           | Please list the full name and address of anyone assist  | ting you in the pr | reparation of this |

<sup>&</sup>lt;sup>3</sup> Claimant granted PJ discretionary authority to execute securities transactions with the Broker. PJ's address is PJ Administrator LLC, 666 Third Avenue, 29<sup>th</sup> Floor, New York, New York 10017-4001. [851973-2]

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If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

|             | alhart Colly           |
|-------------|------------------------|
| Date 3/3/09 | Signature Wille / Wiff |
| Date        | Signature              |

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

(Please print or type)

Doc 4525-1 **GUST PMERI CLAUM**ered 11/14/11 18:41:00 Exhibit 1

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#### BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

# **DECEMBER 11, 2008**

|                 |                                     | tomer: Joel S. Hirschtr  |  | ıı <i>)</i>  |  |                              |  |                                |
|-----------------|-------------------------------------|--|--|--|--|------------------------------|--|--------------------------------|
| lailing<br>ity: | New Y                               |  | State:   | New York   | Zij                                    | n.                           | 10128  |                                |
| ccoun           | nt No.:                             |  | ccount numb<br>'s IRA inves<br>L. Madoff In<br>and 1-FN08  | er 222-04997 at B<br>tment in P.J. Adm<br>vestment Securities  | lear Stear<br>linistrator<br>es LLC (" | ns, wh<br>LLC,<br>Broke      | ich function<br>which, in to<br>r") through                          | ırn, wholly                    |
|                 | FILE                                | OMPANYING INSTRU<br>D FOR EACH ACCOU   | NT AND, T  | O RECEIVE TH   | E FULL                                 | PROT                         | <b>TECTION</b>   | AFFORDE                        |
|                 | OR I<br>BEF<br>BEIN                 | ER SIPA, ALL CUSTO<br>BEFORE MARCH 4, 2<br>ORE JULY 2, 2009, \<br>IG SATISFIED ON TI<br>D YOUR CLAIM FORM    | 009. CLAI<br>WILL BE S<br>ERMS LES<br>I BY CERTI   | MS RECEIVED<br>SUBJECT TO [<br>SS FAVORABLI  | AFTER<br>DELAYE<br>E TO T<br>ETURN I   | THAT<br>D PR<br>HE C         | Γ DATE, E<br>COCESSIN<br>CLAIMANT                                    | BUT ON C<br>G AND T<br>. PLEAS |
| 1.              | OR I<br>BEF<br>BEIN<br>SEN          | BEFORE MARCH 4, 2<br>ORE JULY 2, 2009, \<br>IG SATISFIED ON TI<br>DYOUR CLAIM FORM                           | 009. CLAII<br>WILL BE S<br>ERMS LES<br>I BY CERTI  | MS RECEIVED<br>SUBJECT TO [<br>S FAVORABLI<br>FIED MAIL - RE   | AFTER<br>DELAYE<br>E TO T<br>ETURN I   | THAT<br>D PR<br>HE C         | Γ DATE, E<br>COCESSIN<br>CLAIMANT                                    | BUT ON C<br>G AND T<br>. PLEAS |
| 1.              | OR I<br>BEF<br>BEIN<br>SEN          | BEFORE MARCH 4, 2<br>ORE JULY 2, 2009, N<br>NG SATISFIED ON TI<br>DYOUR CLAIM FORM                           | 009. CLAII WILL BE S ERMS LES I BY CERTI S of Decem  | MS RECEIVED<br>SUBJECT TO E<br>S FAVORABLI<br>FIED MAIL – RE   | AFTER<br>DELAYE<br>E TO T<br>ETURN I   | THAT<br>D PR<br>HE C<br>RECE | Γ DATE, E<br>COCESSIN<br>CLAIMANT                                    | BUT ON C<br>G AND T<br>. PLEAS |
| 1.              | OR I<br>BEF<br>BEIN<br>SEN          | BEFORE MARCH 4, 2<br>ORE JULY 2, 2009, N<br>IG SATISFIED ON TI<br>D YOUR CLAIM FORM                          | 009. CLAII WILL BE S ERMS LES I BY CERTI S of Decem  | MS RECEIVED BUBJECT TO ES FAVORABLIFIED MAIL - RELIGION | AFTER<br>DELAYE<br>E TO T<br>ETURN I   | THAT<br>D PR<br>HE C<br>RECE | T DATE, E<br>COCESSIN<br>LAIMANT<br>IPT REQU                         | BUT ON C<br>G AND T<br>. PLEAS |
| 1.              | OR I<br>BEF<br>BEIN<br>SEN<br>Clair | BEFORE MARCH 4, 200RE JULY 2, 2009, NO SATISFIED ON THE DYOUR CLAIM FORM TO THE FORM TO THE Broker owes me a | OO9. CLAII WILL BE S ERMS LES I BY CERTI S of Decem Credit (Cr.) Sit (Dr.) Bala P Debit Bala Int you wish To "Irving H Madoff Inve | MS RECEIVED BUBJECT TO E S FAVORABLE FIED MAIL – RE ber 11, 2008: Balance of nce of nce, to repay and I. Picard, Esq., estment Securities  | AFTER DELAYE E TO T ETURN I            | THAT<br>D PR<br>HE C<br>RECE | T DATE, E<br>OCESSIN<br>LAIMANT<br>IPT REQU<br>1,686.10 <sup>1</sup> | BUT ON C<br>G AND T<br>. PLEAS |

<sup>1</sup> On February 20, 2009, the SIPC Trustee presided over the first meeting of the Broker's creditors. At that meeting, the Trustee stated that he had found no evidence that the Broker purchased any securities for his customers for at least 13 years. As a result, the Trustee indicated that claims for reimbursement will be based on the net of investors' cash deposits and withdrawals with the Broker. For these reasons, the answer to question 1(a) above reflects the net cash that Claimant deposited with Bear Stearns as custodian for Claimant's IRA. That IRA was fully invested with P.J. Administrator LLC ("PJ"). PJ, in turn, deposited Claimant's net cash into the Accounts with the Broker.

Attached hereto as Exhibit 1 is a copy of a cancelled check, made payable to Bear Stearns FBO Joel S. Hirschtritt, in the amount of \$279,910.11, which was used as initial funding for Claimant's IRA. Exhibit 2 is a copy of Claimant's Bear Stearns IRA account statement for the period March 31, 2007 through April 30, 2007, which shows Claimant's additional deposit of \$3,775.99 on page 5 thereof. Exhibit 3 is a is a copy of Claimant's Bear Stearns IRA account statement for the period February 1, 2008 through February 29, 2008, which shows Claimant's additional deposit of \$28,000 on page 5 thereof. These deposits, totaling \$311,686.10, were fully invested with PJ. The schedule that Claimant received from PJ, which sets forth Claimant's entire investment activity (Exhibit 4), reflects PJ's receipt and credit of the three deposits mentioned above. That Exhibit also confirms Claimant's net cash deposits of \$311,686.10. As explained above, PJ deposited Claimant's net cash into the Accounts with the Broker.

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2. Claim for securities as of **December 11, 2008**:

## PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

|  |   | <u>YES</u> _                    | NO                             |
|--|---|---------------------------------|--------------------------------|
| a.                                     | The Broker owes me securities   | X                               |                                |
| b.                                     | I owe the Broker securities   |                                 | X                              |
| C.                                     | If yes to either, please list below:  |                                 |                                |
|  |   |                                 | Shares or Face<br>t of Bonds   |
| Date of<br>Transaction<br>(trade date) | Name of Security  | The Broker<br>Owes Me<br>(Long) | I Owe<br>the Broker<br>(Short) |
|  | = The Broker owes Claimant a total of \$379,256 in securities. <sup>2</sup> |                                 |                                |
|  |   |                                 |                                |
|  |   |                                 |                                |

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclosed, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

<sup>&</sup>lt;sup>2</sup> This total balance is reflected in the last column of Exhibit 4. Exhibit 5 is a schedule that Claimant received from PJ setting forth the securities that the Broker claimed to have purchased on behalf of Claimant in November 2008.

[851970-2]

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# PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

|   | YES                                     | NO |
|---|---|----|
| Has there been any change in your account since December 11, 2008? If so, please explain.   | e<br>                                   | X  |
| Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?  | *************************************** | X  |
| Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or polices of the broker? |   | X  |
| Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in ay way with the broker? If so, give name(s)    |   | X  |
| Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                        |   | X  |
| Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                  | X <sup>3</sup>                          |    |
| Have you or any member of you family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.  |   | X  |

<sup>&</sup>lt;sup>3</sup> Claimant granted PJ discretionary authority to execute securities transactions with the Broker. PJ's address is PJ Administrator LLC, 666 Third Avenue, 29<sup>th</sup> Floor, New York, New York 10017-4001. [851970-2]

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 13 of 26

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

| Date <u>March</u> 3,2009 | Signature Joel S. Kinshill |
|--------------------------|----------------------------|
| Date                     | Signature                  |

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

# Doc 4525-1

**CLAIM**ered 11/14/11 18:41:00 Exhibit 1

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# BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

# **DECEMBER 11, 2008**

| (Please          | print                   | or typ                              | e)   |   |   |   |   |   |
|------------------|-------------------------|-------------------------------------|--|---|---|---|---|---|
| Name o           | f Cus                   | tomer                               | Ralph A. Sicil   | iano ("Claima   | int")   |   | •   |   |
| Mailing          | Addr                    | ess:                                | 424 East 52 <sup>nd</sup> Str  | reet  |   |   |   |   |
| City:            | New Y                   | York                                | -  | State:  | New York  | Zip:  | 10022   |   |
| Accoun<br>Taxpay |                         | cust<br>inve<br>nun                 | mant maintained odian for Claimar ested with Bernard bers 1-KW387-3 oer (Social Second         | nt's IRA inves<br>L. Madoff In<br>-0 and 1-FN08                 | tment in P.J. Adn<br>vestment Securiti                    | ninistrator LLC<br>es LLC ("Brok                | C, which, in tu<br>ter") through                  | ırn, wholly                                 |
| ****             | UNI<br>OR<br>BEF<br>BEI | DER SE<br>BEFO<br>FORE<br>NG SA     | R EACH ACCOUNT RE MARCH 4, 3 JULY 2, 2009, ATISFIED ON THE CLAIM FORI                          | OMER CLA<br>2009. CLAI<br>WILL BE S<br>FERMS LES<br>VI BY CERTI | IMS MUST BE<br>MS RECEIVED<br>SUBJECT TO I<br>SS FAVORABL | RECEIVED AFTER THA DELAYED P E TO THE ETURN REC | BY THE TR<br>AT DATE, B<br>ROCESSING<br>CLAIMANT. | USTEE ON<br>SUT ON OR<br>G AND TO<br>PLEASE |
| 1.               | Clai                    | m for n                             | noney balances   | as of <b>Decem</b>  | ber 11, 2008:   |   | :   | <b></b>                                     |
|                  | a.                      | The E                               | roker owes me  | a Credit (Cr.)  | Balance of  | \$3   | 36,189.26 <sup>1</sup>                            | ···   |
|                  | b.                      | I owe                               | the Broker a De  | bit (Dr.) Bala  | ince of   | <u>\$</u>                                       | N/A   |   |
|                  | C.                      | pleas<br>attach<br>Truste<br>If you | wish to repay the insert the among a check payable for Bernard Lwish to make a nis claim form. | unt you wish<br>e to "Irving H<br>. Madoff Inve                 | to repay and<br>I. Picard, Esq.,<br>estment Securitie     |   | N/A   |   |
|                  |                         | If bala                             | ince is zero, inse   | ert "None."   |   |   | N/A   |   |

Attached hereto as Exhibit 1 is a copy of a cancelled check, made payable to Bear Steams FBO Ralph A. Siciliano, in the amount of \$35,707.57, which was used as initial funding for Claimant's IRA. Exhibit 2 is a copy of Claimant's Bear Stearns IRA account statement for the period March 31, 2007 through April 30, 2007, which shows Claimant's additional deposit of \$481.69 on page 5 thereof. These deposits, totaling \$36,189.26, were fully invested with PJ. The schedule that Claimant received from PJ, which sets forth Claimant's entire investment activity (Exhibit 3), reflects PJ's receipt and credit of the two deposits mentioned above. That Exhibit also confirms Claimant's net cash deposits of \$36,189.26. As explained above, PJ deposited Claimant's net cash into the Accounts with the Broker.

<sup>1</sup> On February 20, 2009, the SIPC Trustee presided over the first meeting of the Broker's creditors. At that meeting, the Trustee stated that he had found no evidence that the Broker purchased any securities for his customers for at least 13 years. As a result, the Trustee indicated that claims for reimbursement will be based on the net of investors' cash deposits and withdrawals with the Broker. For these reasons, the answer to question 1(a) above reflects the net cash that Claimant deposited with Bear Stearns as custodian for Claimant's IRA. That IRA was fully invested with P.J. Administrator LLC ("PJ"). PJ, in turn, deposited Claimant's net cash into the Accounts with the Broker.

# 2. Claim for securities as of December 11, 2008:

## PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

|  |  | YE\$                            | NO                             |
|--|--|---------------------------------|--------------------------------|
| a.                                     | The Broker owes me securities  | X                               |                                |
| b.                                     | I owe the Broker securities  |                                 | X                              |
| C.                                     | If yes to either, please list below:                                     |                                 |                                |
|  |  |                                 | Shares or Face<br>of Bonds     |
| Date of<br>Transaction<br>(trade date) | Name of Security   | The Broker<br>Owes Me<br>(Long) | I Owe<br>the Broker<br>(Short) |
|  | The Broker owes Claimant a total of \$44,548 in securities. <sup>2</sup> |                                 |                                |
|  |  |                                 |                                |
|  | <u>.</u>   |                                 |                                |

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclosed, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

<sup>&</sup>lt;sup>2</sup> This total balance is reflected in the last column of Exhibit 3. Exhibit 4 is a schedule that Claimant received from PJ setting forth the securities that the Broker claimed to have purchased on behalf of Claimant in November 2008.

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 16 of 26

# PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

|   |   | YES            | NO                |
|---|---|----------------|-------------------|
|   | Has there been any change in your account since December 11, 2008? If so, please explain.   |                | X                 |
|   | Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?  |                | X                 |
|   | Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or polices of the broker? |                | X                 |
|   | Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in ay way with the broker? If so, give name(s)    |                | X                 |
| · | Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                        |                | X                 |
|   | Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                  | X <sup>3</sup> |                   |
|   | Have you or any member of you family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.  |                | X                 |
|   | Please list the full name and address of anyone assist  |                | eparation of this |

<sup>&</sup>lt;sup>3</sup> Claimant granted PJ discretionary authority to execute securities transactions with the Broker. PJ's address is PJ Administrator LLC, 666 Third Avenue, 29<sup>th</sup> Floor, New York, New York 10017-4001. [851975-2]

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 17 of 26

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

| Date | Signature _ | Vo Jak | believes |
|------|-------------|--------|----------|
| Date | Signature _ |        |          |

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, *e.g.*, corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 18 of 26

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

| Date _ | 3/3/09 | Signature _ | Ros A Literia | _ |
|--------|--------|-------------|---------------|---|
| Date _ |        | Signature _ |               |   |

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Claim Number Date Received

#### BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

# **DECEMBER 11, 2008**

| (Please         | print                                  | or type   | ·)   |  |   |  |   |  |  |   |
|-----------------|--|---|--|--|---|--|---|--|--|---|
| Name of         | f Cus                                  | tomer:  | Vince  | nt J. Syrac  | use ("Claim   | ant")  |   |  |  |   |
| Mailing         | Addr                                   | ess:  | 76 Trum  | bull Road  |   |  |   |  |  |   |
| City: 1         | Manha                                  | sset  |  | •  | State:  | New York   | Zip   | :  | 11030  |   |
| Account Taxpaye |  | custo<br>inves<br>numl                                | dian for<br>ted with<br>ers 1-K                        | Claimant'<br>Bernard L                                       | s IRA inves<br>Madoff In<br>and 1-FN08  | er 222-04999 at<br>tment in P.J. Ac<br>vestment Securi<br>6-4-0 (collectiv<br>073-34-7678  | lministrator i<br>ities LLC ("I   | LLC,<br>Broker   | which, in tu<br>r") through                                      | ırn, wholly   |
| NOTE:           | ACC<br>FILE<br>UND<br>OR<br>BEF<br>BEI | OMPAI<br>ED FOR<br>DER SIF<br>BEFOR<br>ORE J<br>NG SA | NYING<br>EACH<br>PA, ALL<br>E MAR<br>ULY 2,<br>TISFIEI | INSTRUC<br>ACCOUN<br>CUSTO<br>CH 4, 20<br>2009, V<br>O ON TE | CTION SH<br>NT AND, TO<br>MER CLAI<br>109. CLAI<br>VILL BE S<br>RMS LES<br>BY CERTI | I FORM, BE EET. A SEP O RECEIVE T IMS MUST BI MS RECEIVE BUBJECT TO IS FAVORAB FIED MAIL - | ARATE CI<br>HE FULL I<br>E RECEIVE<br>D AFTER<br>DELAYED<br>SLE TO TH<br>RETURN R | AIM PROTED BY THAT PROTED PROTECTION THE CONTROL THE C | FORM SI<br>TECTION A<br>THE TR<br>DATE, B<br>OCESSIN<br>LAIMANT. | HOULD BE<br>AFFORDED<br>USTEE ON<br>BUT ON OF<br>G AND TO<br>PLEASE |
| 1.              | Clair                                  | n for mo  | oney ba  | lances as  |   | ber 11, 2008:  |   | ~~~  |  |   |
|                 | a.                                     | The Br  | oker ow  | es me a (  | Credit (Cr.)  | Balance of   |   | \$90   | ,548.05 <sup>1</sup>   |   |
|                 | b.                                     | I owe t   | he Brok  | er a Debi  | t (Dr.) Bala  | nce of   |   | \$   | N/A  |   |
|                 | C.                                     | please<br>attach<br>Trustee<br>If you v               | insert t<br>a check<br>e for Be                        | he amour<br>payable<br>rnard L. N<br>nake a pa               | to "Irving H<br>//adoff Inve  | nce,<br>to repay and<br>l. Picard, Esq.,<br>stment Securi<br>nust be enclo                 | ties LLC."  | \$   | N/A  |   |
|                 |  | If halar  | nce is 76  | ero, insert  | "None"  |  |   |  | N/A  |   |

<sup>&</sup>lt;sup>1</sup> On February 20, 2009, the SIPC Trustee presided over the first meeting of the Broker's creditors. At that meeting, the Trustee stated that he had found no evidence that the Broker purchased any securities for his customers for at least 13 years. As a result, the Trustee indicated that claims for reimbursement will be based on the net of investors' cash deposits and withdrawals with the Broker. For these reasons, the answer to question 1(a) above reflects the net cash that Claimant deposited with Bear Stearns as custodian for Claimant's IRA. That IRA was fully invested with P.J. Administrator LLC ("PJ"). PJ, in turn, deposited Claimant's net cash into the Accounts with the Broker.

Attached hereto as Exhibit 1 is a copy of a cancelled check, made payable to Bear Stearns FBO Vincent J. Syracuse, in the amount of \$89,342.82, which was used as initial funding for Claimant's IRA. Exhibit 2 is a copy of Claimant's Bear Stearns IRA account statement for the period March 31, 2007 through April 30, 2007, which shows Claimant's additional deposit of \$1,205.23 on page 5 thereof. These deposits, totaling \$90,548.05, were fully invested with PJ. The schedule that Claimant received from PJ, which sets forth Claimant's entire investment activity (Exhibit 3), reflects PJ's receipt and credit of the two deposits mentioned above. That Exhibit also confirms Claimant's net cash deposits of \$90,548.05. As explained above, PJ deposited Claimant's net cash into the Accounts with the Broker.

# 2. Claim for securities as of December 11, 2008:

# PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

|  |   | YES                                     | NO                             |
|--|---|---|--------------------------------|
| a.                                     | The Broker owes me securities   | X                                       |                                |
| b.                                     | I owe the Broker securities   |   | X                              |
| c.                                     | If yes to either, please list below:                                      |   |                                |
|  |   |   | Shares or Face<br>of Bonds     |
| Date of<br>Transaction<br>(trade date) | Name of Security  | The Broker<br>Owes Me<br>(Long)         | I Owe<br>the Broker<br>(Short) |
|  | The Broker owes Claimant a total of \$111,459 in securities. <sup>2</sup> |   |                                |
|  |   |   |                                |
|  | _   | *************************************** |                                |

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclosed, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

<sup>&</sup>lt;sup>2</sup> This total balance is reflected in the last column of Exhibit 3. Exhibit 4 is a schedule that Claimant received from PJ setting forth the securities that the Broker claimed to have purchased on behalf of Claimant in November 2008.

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 21 of 26

# PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

|   | YES            | NO                 |
|---|----------------|--------------------|
| Has there been any change in your account since December 11, 2008? If so, please explain.   |                | X                  |
| Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?  |                | Х                  |
| Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or polices of the broker? |                | X                  |
| Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in ay way with the broker? If so, give name(s)    |                | X                  |
| Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                        |                | X                  |
| Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                  | X <sup>3</sup> |                    |
| Have you or any member of you family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.  |                | X                  |
| Please list the full name and address of anyone assis claim form:   |                | reparation of this |

<sup>&</sup>lt;sup>3</sup> Claimant granted PJ discretionary authority to execute securities transactions with the Broker. PJ's address is PJ Administrator LLC, 666 Third Avenue, 29<sup>th</sup> Floor, New York, New York 10017-4001. [851854-3]

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 22 of 26

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

| Date _ | 3/3/05 | Signature |
|--------|--------|-----------|
| Date _ |        | Signature |

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

08-01789-cgm Claim Number Date Received

CHEST PMER CLAUMered 11/14/11 18:41:00 DELOCATE

# BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

# **DECEMBER 11, 2008**

| (Please        | •                       |                                      | •                                      |  |   |  |  |                             |   | ÷  |
|----------------|-------------------------|--------------------------------------|--|--|---|--|--|-----------------------------|---|--|
| Name o         |                         |                                      |  |  | nnenbaum ("                                     | Claimant")   |  |                             |   | ,  |
| Mailing        |                         |                                      |  | stnut Ridg                                     | · · · · · · · · · · · · · · · · · · ·           |  |  |                             |   |  |
| _              |                         | rd Corn                              | · · · · · · · · · · · · · · · · · · ·  |  | State:  | New York   | Zi <sub>l</sub>                          | •                           | 10549   |  |
| Accoun  Taxpay |                         | cus<br>inve<br>nun                   | todian for<br>ested with<br>abers 1-K  | r Claiman<br>h Bernard<br>CW387-3-             | t's IRA inves<br>L. Madoff In                   | per 222-04998 a<br>stment in P.J. Advestment Secur<br>387-4-0 (collecti<br>134-36-1402 | lministrator<br>ities LLC ("             | LLC,<br>Broke               | which, in to<br>r") through                   | urn, wholly                                    |
|                | UNI<br>OR<br>BEF<br>BEI | DER S<br>BEFO<br>ORE<br>NG S/        | IPA, AL<br>RE MAI<br>JULY 2<br>ATISFIE | L CUSTO<br>RCH 4, 2<br>2, 2009,<br>D ON T      | OMER CLA<br>2009. CLAI<br>WILL BE :<br>ERMS LES | O RECEIVE T<br>IMS MUST B<br>IMS RECEIVE<br>SUBJECT TO<br>SS FAVORAB<br>IFIED MAIL —   | E RECEIV<br>D AFTER<br>DELAYE<br>LE TO T | ED B<br>THA<br>D PR<br>HE C | Y THE TR<br>T DATE, E<br>ROCESSIN<br>CLAIMANT | RUSTEE ON<br>BUT ON OR<br>G AND TO<br>. PLEASE |
| 1.             | Claii                   | n for n                              | noney ba                               | alances a                                      | s of <b>Decen</b>                               | nber 11, 2008:   |  |                             |   |  |
| ••             | a.                      | The E                                | Broker ov                              | wes me a                                       | Credit (Cr.)                                    | ) Balance of   |  | <u>\$51</u>                 | 0,387.441                                     |  |
|                | b.                      | I owe                                | the Brol                               | ker a Deb                                      | oit (Dr.) Bala                                  | ance of  |  | \$                          | N/A   |  |
|                | c.                      | please<br>attach<br>Truste<br>If you | e insert f<br>n a checl<br>ee for Be   | the amou<br>k payable<br>ernard L.<br>make a p | to "Irving he<br>Madoff Inve                    | ince,<br>to repay and<br>I. Picard, Esq.<br>estment Securi<br>must be enclo            | ties LLC."                               | \$                          | N/A   |  |
|                |                         | If bala                              | ance is z                              | ero, inse                                      | rt "None."                                      |  |  |                             | N/A   |  |
|                |                         |                                      |  |  |   |  |  |                             |   |  |

<sup>&</sup>lt;sup>1</sup> On February 20, 2009, the SIPC Trustee presided over the first meeting of the Broker's creditors. At that meeting, the Trustee stated that he had found no evidence that the Broker purchased any securities for his customers for at least 13 years. As a result, the Trustee indicated that claims for reimbursement will be based on the net of investors' cash deposits and withdrawals with the Broker. For these reasons, the answer to question 1(a) above reflects the net cash that Claimant deposited with Bear Stearns as custodian for Claimant's IRA. That IRA was fully invested with P.J. Administrator LLC ("PJ"). PJ, in turn, deposited Claimant's net cash into the Accounts with the Broker.

Attached hereto as Exhibit 1 is a copy of a cancelled check, made payable to Bear Stearns FBO Michael G. Tannenbaum, in the amount of \$276,272.52, which was used as initial funding for Claimant's IRA. Exhibit 2 is a copy of Claimant's Bear Stearns IRA account statement for the period March 31, 2007 through April 30, 2007, which shows Claimant's additional deposit of \$3,726.92 on page 5 thereof. Exhibit 3 is a letter from Claimant to Bear Stearns, dated December 21, 2006, authorizing the wire transfer of \$230,388 from a separate account belonging to Claimant to Claimant's Bear Stearns IRA which invested in PJ. These deposits, totaling \$510,387.44, were fully invested with PJ. The schedule that Claimant received from PJ, which sets forth Claimant's entire investment activity (Exhibit 4), reflects PJ's receipt and credit of the three deposits mentioned above. That Exhibit confirms Claimant's net cash deposits of \$510,387.44. As explained above, PJ deposited Claimant's net cash into the Accounts with the Broker.

2. Claim for securities as of December 11, 2008:

# PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

|  |   | YES                             | NO                             |
|--|---|---------------------------------|--------------------------------|
| <sub>.</sub> а.                        | The Broker owes me securities   | X                               |                                |
| b.                                     | I owe the Broker securities   |                                 | X                              |
| C.                                     | If yes to either, please list below:  |                                 |                                |
|  |   |                                 | Shares or Face<br>of Bonds     |
| Date of<br>Transaction<br>(trade date) |   | The Broker<br>Owes Me<br>(Long) | I Owe<br>the Broker<br>(Short) |
|  | = The Broker owes Claimant a total of \$624,039 in securities. <sup>2</sup> |                                 |                                |
|  |   |                                 |                                |
|  |   |                                 |                                |

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclosed, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

<sup>&</sup>lt;sup>2</sup> This total balance is reflected in the last column of Exhibit 4. Exhibit 5 is a schedule that Claimant received from PJ setting forth the securities that the Broker claimed to have purchased on behalf of Claimant in November 2008.

08-01789-cgm Doc 4525-1 Filed 11/14/11 Entered 11/14/11 18:41:00 Exhibit 1 Pg 25 of 26

# PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

| YES            | NO   |
|----------------|------|
| nce            | X    |
|                | Х    |
|                | X    |
|                | X    |
|                | X    |
| X <sup>3</sup> |      |
|                | X    |
|                | ince |

<sup>&</sup>lt;sup>3</sup> Claimant granted PJ discretionary authority to execute securities transactions with the Broker. PJ's address is PJ Administrator LLC, 666 Third Avenue, 29<sup>th</sup> Floor, New York, New York 10017-4001. [851965-2]

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If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

1.10

| Date | MARch 3 | 2009 | Signature <sub>.</sub> | Mush |  |
|------|---------|------|------------------------|------|--|
| Date |         |      | Signature              |      |  |

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, *e.g.*, corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to: